EXHIBIT D

Derek Watkins, Remington's Director of Research and Development, testified as follows in 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

THOMAS HULL,)
)
Plaintiff,)
)
VS.) CAUSE NO. 3:10-CV-5010-RBL
)
REMINGTON ARMS COMPANY,)
INC.,)
)
Defendant.)

****

VIDEOTAPED ORAL DEPOSITION OF
DEREK LEE WATKINS
NOVEMBER 10, 2010

****

On the 10th day of November, 2010, at 9:45 a.m., the videotaped oral deposition of the above-named witness was taken at the instance of the Plaintiff, Thomas Hull, before Michelle L. Munroe, Certified Shorthand Reporter in and for the State of Texas, at Hightower Angelley, LLP, 4144 N. Central Expressway, Suite 1230, Dallas, Texas, pursuant to Notice and the agreement hereinafter set forth.

11:47 Remington's connector-containing bolt action rifles
11:47 fired absent a trigger pull during gallery testing?
11:47 A. I can't give you -- I don't know that number,
11:47 so -- and I can't make an estimate either.
11:47 Q. Okay. Since 1990, 20 or so years ago, how
11:47 many times have Remington's connector-containing bolt
11:47 action rifles fired absent a trigger pull during gallery
11:48 testing?
11:48 A. Again, I can't give you that number. I don't
11:48 know that number.
11:48 Q. Since the year 2000, 20 years ago -- I'm
11:48 sorry.
11:48 Since the year 2000, approximately 10 years
11:48 ago, how many times have Remington's
11:48 connector-containing bolt action rifles fired absent a
11:48 trigger pull during gallery testing?
11:48 A. How about from 2002 to present?
11:48 Q. Okay.
11:48 A. I can make an estimate on that.
11:48 Q. Let me re-ask my question.
11:48 How many times since 2002 have Remington's
11:48 connector-containing bolt action rifles fired absent a
11:48 trigger pull during gallery testing?
11:48 A. Possibly between 100 and 200 is a guess.
11:49 Q. Okay. Is even one of the fire controls for

REMINGTON ARMS COMPANY, INC.
INTER-DEPARTMENTAL CORRESPONDENCE

Remington (DU PONT) PETERS (DU PONT)

"CONFINE YOUR LETTER TO ONE SUBJECT ONLY"

REMINGTON ARMS CO.
RECEIVED
MAR 7 1980

ILION RESEARCH DIVISION

cc: C. B. Workman
J. P. Linde
T. W. Rawson, Bpt.
E. G. Larson "

Ilion, New York
March 5, 1980

→ Jim Martin — For your use in developing a better Bolt Action Fire Control. Clark

E. HOOTON, JR.

SAFETY-RELATED COMPLAINTS-BOLT ACTION CENTER FIRE RIFLES
JULY, 1979 - JANUARY, 1980

In response to Earl Larson's letter to D. J. Sanita dated January 23, 1980, the following data is supplied. Listed are items where Bolt Action firearms were returned for a safety complaint. We have been previously reporting on all customer returned Model 700's that failed the trick test and fires off safe (see attached letter).

Model	Production for the Period	Complaints	Total No. Unable to Duplicate	Total No. Verified
700	83,862	133	89	44
788	14,735	10	4	6
600	-	5	3	2
660	-	1	-	1
721	-	1	1	-
722	-	1	-	1
725	-	1	-	1

Complaints - Unable to Duplicate

I. **Model 700**

	Complaint	Total No.
1)	Rifle discharged when Safety is released	54
2)	Trigger stiff - misfires	1
3)	Follows Down	4
4)	Bolt closes hard and discharges	2
5)	Delayed firing	5
6)	Fires on closing Bolt when unloading	3
7)	Rifle discharged when Bolt handle raised	2
8)	Push Safety to "Off" position - slight touch of Trigger and rifle discharges	1
9)	Accidental discharge	5
10)	Fires on closing	8
11)	Safety does not work	1
12)	Defective Safety - works hard	1
13)	Faulty Trigger - gun goes off	1
14)	Goes off prematurely	1
		89

REM 0034093

Of 133 customer complaints of FSR over a 6-month period in 1979-1980, 44 were "verified"

Customer (Bud Caretti) - 12/04/2005 09:35 AM
My 15 year old daughter has a 3 year old Model 700 243cal. This hunting season when she clicked the safety off the gun fired. This happened several times, once injuring her nose. I took the rifle to a local gunsmith who removed the trigger to find that the grease you installed during manufacturing had gummed up the trigger. He cleaned it out and now it seems to be working properly. This rifle has less than 1 box of shells fired, and has been carried about 10 days in the field. I was wondering if this trigger should be replaced and if you have had this sort of problem with this model rifle?
Thanks, Bud Caretti

Auto-Response - 12/04/2005 09:35 AM
No matches were found.

Discussion Thread

Response (Dell) - 12/09/2005 03:21 PM
Dear Bud,

Thank you for taking the time to write into us. We are not aware of the issue that you experienced in the Model 700.
According to the serial number that you provided, your Model 700 was produced in 2002.

As with any new firearm, it should be thoroughly cleaned before using. Be sure to clean the entire gun before and after long-term storage, and no less than once a year. It's also important to clean your gun whenever it's been exposed to adverse conditions such as rain, dirt, mud, snow, sleet or saltwater.

For safe and dependable operation of your firearm, all parts of your gun must be properly cleaned and lubricated. Periodically inspect the internal workings of your firearm to be sure they're clean and free of rust, unwanted dirt and debris.

Use recommended lubricants on your gun and do not over-lubricate. Excessive use of a non-recommended lubricant could adversely affect the function and safe operation of your firearm. Remember, you are responsible for the proper care and maintenance of your firearm. Failure to properly maintain your firearm can ruin your firearm.

If you would like for our factory to inspect your firearm, please print out the Factory Repair Form at the following link.

http://www.remington.com/support/repair_services/factory_repair_form.asp

Customer (Bud Caretti) - 12/09/2005 11:43 PM
Let me tell you again that this rifle was used very little. It was cleaned before and after each of the 2 hunting seasons in Pa. which lasts 2 weeks. I was not aware that the trigger needed to be remove from the rifle to be cleaned. The rifle was not out in adverse conditions as my daughter does like to hunt in them. I, along with the gunsmith I took it to feel that it was a manufacturing problem with this rifle. The fact the it injured her I feel that there should be more of an answer than "clean your gun"

PS 7644

Discussion Thread

RD-46

REMINGTON ARMS COMPANY, INC.

INTER-DEPARTMENTAL CORRESPONDENCE

Remington — PETERS

Bridgeport, Connecticut,

August 31, 1948.

TO: MR. S. M. ALVIS,

From: Mr. A. J. Greene,

Subject: MODEL 721 SAFETY

The gun mentioned in your letter of August 27th was duly delivered to us by Mr. Pinckney, and is returned to him with his copy of this letter. We are unable to secure a malfunction of its safety, and deem its construction a substantial improvement over the model which we had previously examined.

Our usual potential liability for the safety of our product is somewhat augmented by our knowledge that some Model 721 safeties have misfunctioned. However, our liability does not seem to be out of proportion to the advantage of retaining the present sear and safety construction, pending receipt of further complaints from the field.

We note that in the production gun which you supplied the three adjustment screws in the trigger assembly are not staked, as they were in the earlier models. We believe it important that these screws, particularly the one which determines the amount of engagement of connector and sear, be so sealed as to afford a positive indication when our factory adjustment has been altered.

out of warranty

Notified H.J.N. – 4/?/48 1:30 p.m.

A. J. GREENE,
Patent Attorney.

AJG/m

January 9, 1953

TO: W. A. Best

FROM: S. M. Alvis

SUBJECT: MODEL 721 QUALITY & ENDURANCE TESTING

Under date of January 5th, C. J. Theriault, of the Testing Unit, issued report of results covering the quality and endurance test for the Model 721 which was conducted by Research during 1952. In this connection, a conclusion was made with respect to adequacy of functioning. This conclusion was based on assumptions with respect to the original trial and pilot test as made for this model many years ago.

We have since discussed the matter with C. J. Theriault and believe have reached an agreement as to the fallacy of such a policy. In other words, we often assume certain calculated risks in connection with new models but only on basis of confidence that required standards of quality will be attained as production improvements are made. Then too, we must all agree that the complaints from customers is one of our principal yardsticks, especially as to "what will be acceptable", and we believe that everyone will agree that a 2% malfunction rate in a bolt action gun of this type is too high and that the results of any such tests should be carefully analysed in an effort to use the information to the best possible advantage towards improving our quality.

We have, therefore, suggested to C. J. Theriault that in future reports of this type, they will simply record and report on the factual results and, where practical, to give comparisons of previous testing. No attempt should be made to judge adequacy.

S. M. Alvis
Arms Research & Development Division

SMA:LJ

DON'T SAY IT—WRITE IT

To George Martin
From Gene Bullis
Safety Malfunctions Gallery
Date 5-2-75

Model	Malfunctions FSR *'75	FSR '74	FSR '73	JO *'75	JO '74	JO '73	FD *'75	FD '74	FD '73	FOS *'75	FOS '74	FOS '73	SWW *'75	SWW '74	SWW '73	Total Safety Malfunctions by Model
40							4									4
XP 100							3									3
540																
541								2	1							3
580														1		1
581							3	2	1							6
582																
[illegible]00	1						10	74	55							140
700	9						7	19	10	1				1		47
788	4						3	9	3	2	9	4	14	95	53	196
ARLY HALF TOTALS	14						30	106	70	3	9	4	14	97	53	400

Total safety malf.

MALFUNCTION MEANINGS

FSR - FIRES WHEN SAFE IS RELEASED - SELF EXPL.

JO - JARS OFF (HAMMER FAILS TO STAY ENGAGED WITH SEAR AND FALLS DOWN WHEN GUN IS JARRED.)

FD - FOLLOWS DOWN. (COCKING PIECE FAILS TO PROPERLY ENGAGE WITH SEAR AND FOLLOWS THE COCKING CAM SURFACE OF THE BOLT TO THE FIRED POSITION).

FOS - FIRES ON SAFE (GUN FIRES WITH SAFE IN "ON" POSITION WHEN TRIGGER IS PULLED).

SWW - SAFETY WON'T WORK - SELF EXPL.

* - 1975 DATA FROM DEC. 26, 1974 TO APRIL 29TH, 1975 ONLY.

5/4/75

GUNSMITH CALL REPORT

Date 7/29/83 Reporter Donald McClure

Shop Name C. Wheeler Guns & Gunsmith Ser. Gunsmith's Name C. Wheeler

Address 1908 E. George Washington Way, Richland, WA Zip 99352
No. & Street City State

Gunsmith on Premises? Yes If not, give address below:

Gunsmith's Address ______ Zip
No. & Street City State

Recommended List (X) Open Acct. (X) % Disc. 30% Dealer (X) Large ( ) Small (X)
NEW GUN REPAIR

PERSONS INTERVIEWED and POSITION:

1) C. Wheeler - Owner/Gunsmith (2) ______

3) ______ (4) ______

SPECIFIC PROBLEMS ENCOUNTERED:

1. M-700 - Guns fire when safety switch moved to off position.

2. M-1148 - 12 Ga. - Needed oversize locking block.

GENERAL DISCUSSION

Mr. Wheeler told me they have had 5 M-700's in the last year which the owners claimed fired when the safety was pushed to the off position. All were returned to Arms Service per our instructions. The guns came back with new triggers installed but no explanation of what, if anything, was found wrong. He said a couple of the gun owners were unhappy because their gun had to be sent to the factory, but he told them that was Company policy, so they accepted it.

Still some M-1148 shotguns coming in; usually need an oversize locking block to correct the problem.

REMINGTON ARMS COMPANY, INC.

INTER-DEPARTMENTAL CORRESPONDENCE

Remington — PETERS

"CONFINE YOUR LETTER TO ONE SUBJECT ONLY"

January 25, 1990

TO: K.D. GREEN

FROM: J.A. STEKL

RE: M/700 RIFLE RETURNS - ALLEGED ACCIDENTAL FIRINGS

The number of Model 700 rifles being returned to the factory because of alleged accidental firing malfunctions is constantly increasing.

170 were returned to Product Service for examination in 1989 with various accidental firing complaints.

To date this year, 29 have been returned.

JAS:tpp

cc: W.E. Ericson
J.C. Hutton

TEST REPORT

EXTREME ENVIRONMENT, RELIABILITY TESTING OF MODIFIED MODEL 700, RIFLE, FIRE CONTROL ASSEMBLIES

Prepared For

Remington Arms Company, Inc.
Research and Development Technical Center
315 West Ring Road
Elizabethtown, Kentucky
42701

By

H.P. White Laboratory, Inc.
3114 Scarboro Road
Street, Maryland 21154

October 1995

MA2839

PREFACE

This report presents the results of Extreme Environment Testing of modified, Model 700 Rifle Fire control Assemblies comparatively with currently fielded, Model 700 Rifle Fire Control Assemblies. The tests were conducted in accordance with Remington Arms Company, Inc. Purchase Order Number LRR-0792.

safeties.

1.5 Summary

1.5.1 Except for the Blowing Sand and Dust Test, none of the extreme environmental testing produced a discernible affect on the operation of either configuration of Fire Control Groups.

1.5.1.1 The Sand/Dust Test adversely effected the operation of both of the Fire Control Groups.

1.5.2 None of the extreme environmental testing produced inadvertent firings with either Fire Control Group configuration.

1.5.2.1 All of the malfunctions induced by conditions of the tests interrupted the firing sequence and are therefore categorized as having no effect on safety.

1.5.3 During the final cleaning, subsequent to the last test of the series, two of the rifles "fired" inadvertently with the release of the safety - one each of both configurations of the Fire Control Group.

1.5.3.1 A Safety Manipulation Test was conducted which performed one hundred trials with each of the five Modified Fire Control Groups, the three previously tested, unmodified Fire Control Groups and two additional, unmodified Fire Control Groups not previously tested (10 guns/1000 testing) with no additional inadvertent "firings".